



CHAPTER 31

An Act to authorise the making and recovery of charges in respect of certain dental and optical appliances under the National Health Service Act, 1946, and the National Health Service (Scotland) Act, 1947; to make provision for the accommodation and treatment outside Great Britain of persons suffering from respiratory tuberculosis; to remit stamp duty on receipts given in respect of such charges as aforesaid; and to amend the National Assistance Act, 1948, in relation to requirements for services under the said Acts of 1946 and 1947. [10th May 1951.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Notwithstanding anything in section one of the National Health Service Act, 1946 or section one of the National Health Service (Scotland) Act, 1947, but subject to the following provisions of this section, charges of the amounts specified in the Schedule to this Act may be made and recovered, in such manner as may be prescribed by regulations under those Acts respectively, in respect of the supply under Part II or Part IV of those Acts respectively of such dental or optical appliances as are described in the said Schedule.

Charges in respect of certain dental and optical appliances.
9 & 10 Geo. 6. c. 81.
10 & 11 Geo. 6. c. 27.

(2) No charge shall be made under this section in respect of any appliance supplied under the said Part II to a patient for the time being resident in a hospital.

(3) Regulations made for the purposes of subsection (1) of this section may be made so as to take effect—

(a) in the case of appliances supplied under the said Part II, where the examination or testing of sight under the said Part II leading to the supply of those appliances, or the first such examination or testing, takes place on or after the date on which the regulations come into force;

(b) in the case of dental appliances supplied under the said Part IV, where the contract or arrangement between the person by whom and the person to whom the appliances are supplied is made on or after that date;

(c) in the case of optical appliances supplied under the said Part IV, where the testing of sight leading to the supply of those appliances, or the first such testing, takes place on or after that date.

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(4) Regulations made for the purposes of subsection (1) of this section in relation to appliances provided as part of the general dental services or the supplementary ophthalmic services under the said Part IV may provide for the reduction of the sums which otherwise would be payable by an Executive Council to the persons by whom those services are provided by the amount of any charges authorised by this section in respect of those appliances.

(5) The provisions of this section shall be in addition to and not in substitution for any provision of the National Health Service Acts, 1946 and 1949 or the National Health Service (Scotland) Acts, 1947 and 1949 authorising the making and recovery of charges in respect of services provided under those Acts.

(6) References in this section to the supply of appliances shall be construed as including references to the replacement of appliances; but (without prejudice to any charge authorised by any such provision as is mentioned in the last foregoing subsection) no charge shall be made under this section in respect of the replacement of dentures or lenses where the replacement is required in consequence of loss or damage.

Power to
amend
Schedule.

2.—(1) His Majesty may by Order in Council direct that the Schedule to this Act shall have effect as if for the charges specified therein there were substituted such charges (not being in any case greater than the charges so specified) as may be prescribed by the Order.

(2) Any Order in Council under this section may be revoked or varied by a subsequent Order in Council thereunder.

(3) A draft of any Order in Council proposed to be submitted to His Majesty under this section shall be laid before Parliament,

and the draft shall not be so submitted except in pursuance of an Address presented by each House of Parliament praying that the Order be made.

3. The Minister of Health and the Secretary of State may respectively make arrangements for providing, as part of the hospital and specialist services under Part II of the National Health Service Act, 1946 or Part II of the National Health Service (Scotland) Act, 1947, accommodation and treatment outside Great Britain for persons suffering from respiratory tuberculosis. Provision of accommodation and treatment abroad for respiratory tuberculosis.

4.—(1) Stamp duty shall not be chargeable on any receipt given in respect of charges authorised to be made and recovered in pursuance of this Act. Consequential provisions.

(2) Notwithstanding anything in section sixty-four of the National Assistance Act, 1948, the expression “requirements” in that Act shall include requirements for services in respect of which charges are for the time being authorised in pursuance of this Act or of section sixteen of the National Health Service (Amendment) Act, 1949; and subsection (1) of section nine of the National Assistance Act, 1948 (which precludes the making of assistance grants to meet the requirements of persons engaged in remunerative full-time work) shall not apply in relation to requirements for such services as aforesaid. 11 & 12 Geo. 6. c. 29. 12, 13 & 14 Geo. 6. c. 93.

(3) There shall be defrayed out of moneys provided by Parliament any increase attributable to the provisions of this Act in the sums payable under the National Health Service Acts, 1946 and 1949, the National Health Service (Scotland) Acts, 1947 and 1949 or the National Assistance Act, 1948 out of moneys so provided; and any sums received by the Minister of Health or the Secretary of State under this Act shall be paid into the Exchequer.

5.—(1) Subject to the provisions of this section, the following provisions of this Act, that is to say sections one and two, section four (except so far as it relates to expenditure under section three) and the Schedule, shall continue in force until the first day of April nineteen hundred and fifty-four and shall then expire. Duration of certain provisions.

(2) If at any time while the said provisions are in force, an Address is presented to His Majesty by each House of Parliament praying that the said provisions be continued in force for a further period of one year from the time at which they would otherwise expire, His Majesty may by Order in Council direct that the said provisions shall continue in force for that further period.

(3) Subsection (2) of section thirty-eight of the Interpretation Act, 1889, shall apply upon the expiry of the said provisions as if they had then been repealed. 52 & 53 Vict. c. 63.



Short title,
citation and
extent.

6.—(1) This Act may be cited as the National Health Service Act, 1951 and this Act, so far as it applies to England and Wales, and the National Health Service Acts, 1946 and 1949 may be cited together as the National Health Service Acts 1946 to 1951, and this Act, so far as it applies to Scotland, and the National Health Service (Scotland) Acts, 1947 and 1949 may be cited together as the National Health Service (Scotland) Acts, 1947 to 1951.

(2) This Act shall not extend to Northern Ireland.

(3) Subsection (3) of section eighty of the National Health Service Act, 1946 (which provides for the extension of that Act to the Isles of Scilly) shall have effect as if the references to that Act included references to this Act.

SCHEDULE

Sections 1, 2, 5.

CHARGES FOR DENTAL AND OPTICAL APPLIANCES

<i>Description of Appliance</i>	<i>Authorised Charge</i>
Dentures—	
One denture—	£ s. d.
1, 2 or 3 teeth	2 0 0
4 to 8 teeth	2 5 0
More than 8 teeth... ..	2 10 0
More than one denture ...	The aggregate of the amounts prescribed by this Schedule in respect of each denture, or £4 5s., whichever is the lower.
Glasses other than children's glasses—	s. d.
Lenses, per lens	10 0
Frames	The current specified cost.

Interpretation

In this Schedule the following expressions have the meanings hereby assigned to them, that is to say:—

“ children's glasses ” means glasses for which a standard type of children's frame as described in the Statement of Fees and Charges is used;

“ current specified cost ”, in relation to frames supplied under Part IV of the National Health Service Act, 1946 or Part IV of the National Health Service (Scotland) Act, 1947, means the sum specified in the Statement of Fees and Charges as the sum payable for frames of that description by the person to whom they are supplied (including, in the case of the Statement in force at the commencement of this Act, any sum so specified as payable by the Council), and in relation to frames supplied under Part II of those Acts respectively means a sum equal to the sum specified as aforesaid or, in the case of frames of a description for which no sum is so specified, such sum as may be determined by or in accordance with directions given by the Minister of Health or the Secretary of State, as the case may be;

and for the purposes of this provision “ the Statcment of Fees and Charges ” means the Statement of Fees and Charges prepared under Regulation 3 of the National Health Service (Supplementary Ophthalmic Services) Regulations, 1948 or under Regulation 3 of the National Health Service (Supplementary Ophthalmic Services) (Scotland) Regulations, 1948, as the case may be, or any corresponding regulation for the time being in force.

SCHEDULE

CHARGES FOR DENTAL AND OPTICAL APPLIANCES

Description of appliance	Amount of charge
Dentures—	
One denture—	£ 2 4
1, 2 or 3 teeth	2 0 0
4 to 8 teeth	2 2 0
More than 8 teeth	2 10 0
More than one denture	The aggregate of the amounts prescribed by this Schedule in respect of each denture, or 14 2s. 6d. whichever is the lower.
Glasses other than children's glasses—	2 4
Lenses, per lens	10 0
Frames	The current specified cost.

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